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01/09/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 317743-103C



**BOX PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing is the patent application of:

Inventors:

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Title: **PHARMACEUTICAL FOR TREATMENT OF NEUROLOGICAL AND NEUROPSYCHIATRIC DISORDERS**

I. This new application is for an Original Utility Patent.

II. Papers enclosed which are required for filing date Under 37 CFR 1.53(b):

1 Title Page (Page In Front of Specification)  
76 page(s) of specification (minus claims and abstract)  
21 page(s) of claims  
1 page(s) of abstract  
4 sheet(s) of drawing  
4 page(s) of declaration and power of attorney

"Express Mail" mailing label number **EK 295 392 279 US**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and addressed to: Assistant Commissioner of Patents, Washington, DC 20231, on January 9, 2001.

  
Colleen Hanagan

III. Additional Papers enclosed:

Preliminary Amendment  
 Information Disclosure Statement  
 Form PTO/SB/08A and 08B (Formerly Form PTO-1449)  
 Citations  
 Declaration of Biological Deposit  
 Authorization of Attorney(s) to Accept and Follow Instructions from Representative  
 Special Comments  
 Acknowledgment postcard

IV. Oath or Declaration

(a)  Newly executed (original or copy)  
(b)  Copy from a prior application (37 CFR § 1.63(d)(1)(iv)) for Continuation/Divisional Application  
(c)  Declaration or oath is not enclosed. **[OPTIONAL]**  
(i)  Deletion of Inventor(s)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

V.  **Incorporation By Reference.**

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied and is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

VI.  Microfiche Computer Program (Appendix)

VII. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

(a)  Computer Readable Copy of the Sequence Listing  
(b)  Paper Copy (identical to Computer Readable Copy) of the Sequence Listing  
(c)  Statement under 37 CFR §1.821(f) regarding Sequence Listing

VIII. **Information Disclosure Statement:**

- The Examiner is requested to consider carefully the complete text of the documents submitted herewith in connection with the examination of this application. It is believed that the Examiner will concur with Applicant's belief that the documents do not adversely affect the patentability of the subject matter presently claimed, taken alone or in combination.
- It is requested that the listed documents be included in the "References Cited" portion of any patent issuing from this application.

- Under 37 CFR 1.97(i), Applicants understand that non-complying Information Disclosure Statements will be placed in the file but not considered by the Office, however, under Reply to Comment 8 of the Federal Register, page 2024, Applicants will be informed when information is not considered.

[X] Applicants make of record the documents submitted in parent Application Serial No. 08/866,007 filed May 30, 1997. These documents are listed on the Form

[ ] PTO/SB/08A  
[ ] PTO/SB/08B  
[X] PTO-1449  
[ ] PTO-892

which was submitted in the parent case, a copy of which form(s) is/are enclosed. The Office is requested to make these forms of record in the present case. In accordance with 37 CFR 1.98(d), copies of the documents cited in the above-listed forms are not enclosed.

[ ] If additional documents are to be made of record, these are listed with unique identifiers on further Forms PTO/SB/08A and PTO/SB/08B which are enclosed. Copies of these additional documents are enclosed.

**IX. If a Continuing Application, check appropriate box, and supply the requisite information below and in a preliminary amendment:**

Continuation  Divisional  Continuation-in-part (CIP)

of prior Application No. 08/866,007

Prior application Information: Examiner Coleman, B.

Group/Art Unit 1624

**X. The correspondence address**

remains the same as in the prior Application  
 should be revised to recite:

**Customer No. 25,561**

**XI. Priority to Foreign Application:** Priority under 35 U.S.C. § 119 is claimed in  
[COUNTRY—I.E., U.S.] based on Application No. \_\_\_\_\_, filed \_\_\_\_\_

**XII. This application claims priority of one or more U.S. Applications under 35 U.S.C. §120.** Accordingly, please amend the application to recite as the first line of the application:

--The present application is a divisional of U.S. Application No. 08/866,007 filed May 30, 1997, which is a continuation-in-part of U.S. Serial No. 08/808,754, filed February 27, 1997, which is a continuation-in-part of U.S. Serial No. 08/656,063, filed May 31, 1996. --

**XIII. An assignment of the invention of the application filed herewith is attached, together with an Assignment Recordation Cover Sheet.**

**XIV. Fee Calculation for filing of Application**

Other Than Small Entity (\$710.00)  
 Small Entity (\$355.00)  
 Claims in Excess of 20: (13 @ \$18.00 Other Than Small Entity)  
 Claims in Excess of 20: ( @ \$ 9.00 Small Entity)  
 Independent Claim in Excess of 3: ( @ \$80.00 Other Than Small Entity)  
 Independent Claim in Excess of 3: ( @ \$40.00 Small Entity)  
 First Presentation of Multiple Dependent Claim (\$270.00 Other Than Small Entity  
or \$135.00 Small Entity)

XV.  A Verified Statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is attached.

XVI.  Fee Payment being made at this time is not enclosed.  
 Fee payment being made at this time is enclosed:

*	Basic filing fee ( <b>Small/Other Than Small Entity</b> )	710.00
*	Claims in Excess of 20: (13 @ \$18.00 Other Than Small Entity)	234.00
*	recording assignment (\$40.00)	*.00
*	processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))	*.00
*	Total Fees enclosed:	<u>\$944.00</u>

XVII. A check in the amount of \$944.00 is enclosed.

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XVIII. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 04-0480. This letter is filed in duplicate for accounting purposes.

Respectfully submitted,



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Attorney for Applicants

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